

REMARKS

I. STATUS OF CLAIMS

In accordance with the foregoing, claims 1-5 and 8-15 are pending and under consideration.

II. REJECTION OF CLAIMS 1-5 UNDER 35 U.S.C. 103(A) AS BEING UNPATENTABLE OVER US PATENT 5,208,692 (MCMAHON) IN VIEW OF US PATENT 6,754,411 (AHMADVAND ET AL.)

Claim 1 is amended to recite when the physical branch ports formed by cascade connecting the optical multiplexing/demultiplexing is M ($M > N-1$), said branch port connecting section groups two or more branch ports of said M branch ports, and virtually considers these as $N-1$ branch ports outputting one of even-numbered or odd-numbered wavelength groups, and connects between each of the branch ports.

The Office Action contends the output ports $p1$ and $p2$ from MZI 21 of Ahmadvand can be grouped together and viewed as "one branch port" $P2$, and connected to other ports so as to "virtually" form $N-1$ branch ports.

Applicants respectfully submit Ahmadvand fails to teach or suggest at least the recitation of currently amended claim 1 of said branch port connecting section groups two or more branch ports of said M branch ports, and virtually considers these as $N-1$ branch ports outputting one of even-numbered or odd-numbered wavelength groups.

Regarding the Office Actions contention that the output ports $p1$ and $p2$ from MZI 21 of Ahmadvand can be grouped together and viewed as "one branch port" $P2$, and connected to other ports to "virtually" form $N-1$ branch ports, assuming arguendo this contention is correct, Ahmadvand still fails to describe the recitations of currently amended claim 1. Specifically, FIG. 3 of Ahmadvand fails to teach or suggest at least the recitation of currently amended claim 1 of a branch port connecting section grouping two or more branch ports of said M branch ports, and virtually considering these as $N-1$ branch ports outputting one of even-numbered or odd-numbered wavelength groups. **Instead, FIG. 3 of Ahmadvand clearly illustrates that the alleged virtual $N-1$ branch ports output both even-numbered and odd-numbered wavelengths.**

In view of the foregoing, Applicants respectfully submit Ahmadvand fails to teach or suggest at least the recitation of currently amended claim 1 of said branch port connecting section groups two or more branch ports of said M branch ports, and virtually considers these as N-1 branch ports outputting one of even-numbered or odd-numbered wavelengths.

Although the above comments are specifically directed to currently amended claim 1, it is respectfully submitted that the comments would be helpful in understanding various differences of various other claims over the cited references.

In view of the above, it is respectfully submitted the rejection is overcome.

III. REJECTION OF CLAIMS 8-15 UNDER 35 U.S.C. 103(A) AS BEING UNPATENTABLE OVER US PATENT 5,208,692 (MCMAHON) AND US PATENT 6,754,411 (AHMADVAND ET AL.) AS APPLIED TO CLAIM 1 ABOVE, AND IN FURTHER VIEW OF US PATENT 2003/0058497 (PARK ET AL)

Claim 8-15 depend directly or indirectly from currently amended claim 1. Applicants respectfully submit currently amended claim 1 patentably defines over the cited art. Furthermore, nothing has been cited or found in Park which cures the deficiencies discussed in Section II with regard to McMahon in view of Ahmadvand.

Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

In view of the above, it is respectfully submitted the rejection is overcome.

IV. CONCLUSION


If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: 
Joseph W. Iskra
Registration No. 57,485

1201 New York Ave, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501